

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CV-359-BO

FELICIA KENT,

Plaintiff,

v.

CAROLYN W. COLVIN¹,
ACTING COMMISSIONER,
SOCIAL SECURITY,


Defendant.

ORDER

This matter is before the Court on Plaintiff's Motion for Judgment on the Pleadings and Defendant's Motion for Remand to the Commissioner. Plaintiff's counsel indicated that he did not oppose the Defendant's Motion for Remand.

Accordingly, for good cause shown, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) and § 1383(c)(3) and remands the case to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

SO ORDERED this 5 day of March, 2013.


TERRENCE W. BOYLE
United States District Judge

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should, therefore, be substituted for Commissioner Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).